IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL No. 103 OF 2004.

Commissioner of Central Excise ... Appellant.

V/s.

M/s Sant Processors ... Respondent.

Shri A.J. Rana with Suresh Kumar for the appellant.

Shri Jitu Motwani i/b P.D.S. Legal for the respondent.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 6.10.2005.

P.C. :

. This appeal is directed against he order of remand. We, therefore, do not proposed to entertain this appeal. Even otherwise, no substantial question of law is involved in this appeal. We, therefore, dismiss the appeal in limine with no order as to costs.

. We, however, direct the appellate authority to hear and dispose of the appeal as expeditiously as possible at any rate within 8 weeks from the date of communication of this order. Learned Counsel appearing for the respondent undertakes to cooperate with the adjudicating authority. He states that the respondent shall appear before the adjudicating authority on 13.10.2005. It would be open for the adjudicating authority either to proceed to hear the

respondent on 13.10.2005 or on any other suitable date. It is made clear that if the respondent wants to examine any witnesses in support of their defence, then, in that event, they should keep the witnesses present either on the fixed date or any other date which may be fixed by the adjudicating authority.

. Shri Rana undertakes to communicate this order to the adjudicating authority.

(J.P. DEVADHAR,J.) **(V.C. DAGA,J.)**